

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS RESPONSE

By the current response, Applicants basically:

1. Amend independent claims 1, 42, and 54 as explained in Remarks §B infra.
2. Amend various dependent claims for consistency with the independent claims.
3. Thank the Examiner for the indication of allowable subject matter in claims 7-14, 17, 19, 46-49, 52-53, 60-65, 70 and 72 .
4. Rewrite allowable claims 7, 17, 19, 46, 52, 53, 60, 70, and 72 as independent claims.
5. Respectfully traverse all prior art rejections.

B. CLAIMS AMENDMENTS

Independent claims 1, 42, and 54 have been amended to emphasize what previously was clearly inferred: that user equipment unit makes its determination (whether the user equipment unit is eligible to operate or not operate in a cell) on a basis of an access group to which the user equipment unit belongs as indicated by access group classification information. The amendatory language is amply supported by the original disclosure, including (for example), the second sentence of paragraph [0024].

Independent claims 1, 42, and 54 have also been amended to refer to the “access group classification” as “access group classification information”, which has precedence and support in, e.g., the last sentence of paragraph [0062].

C. PATENTABILITY OF THE CLAIMS

Claims 1-3, 5-6, 15-16, 18, 42-44, 50-51, 54-56, 58-59, 66-69, 71 and 87-92 stand rejected under 35 USC §103(a) as being unpatentable over WO 98/30056 to Salmela in view of U.S. Patent 6,334,052 to Nordstrand et al. Claims 4, 45 and 57 stand rejected under 35 USC §103(a) as being unpatentable over WO 98/30056 to Salmela in view of U.S. Patent 6,334,052 to Nordstrand et al and further in view of U.S. Publication 2003/0003909 to Keronen et al.

Allowable claims 7, 17, 19, 46, 52, 53, 60, 70, and 72, now rewritten as independent claims, are deemed allowable as are claims dependent thereon. As to the remaining claims still subject to a prior art rejection, all such prior art rejections are respectfully but vigorously traversed for at least the following reasons.

The Final Office Action contends that “the current claim language is broad enough to be met by ...Salmela and Norstrand” (*See*, page 2, third full paragraph of the Final Office Action). Applicants respectfully disagree.

Both WO 98/30056 to Salmela and U.S. Patent 6,334,052 to Nordstrand require storage, at a mobile station, of some sort of list of cells in which the mobile station is permitted to operate. *See*, e.g., the paragraph bridging pages 5 and 6 of WO 98/30056 to Salmela and col. 7, lines 30 *et seq* of U.S. Patent 6,334,052 to Nordstrand. When traveling into a new cell, the mobile station must then compare an identifier broadcast by the new cell with the list of permitted cells to determine whether the mobile station is permitted to operate. *See*, e.g., page 6, lines 7 *et seq* of WO 98/30056 to Salmela and col. 7, lines 30 *et seq* of U.S. Patent 6,334,052 to Nordstrand. In a situation in which the permitted cell list is stored in the mobile station via signaling through a radio access network, considerable signaling can be involved for transmitting the list and effecting the comparison.

By contrast, Applicants' independent claims 1, 42, and 54 compare access group eligibility information (transmitted in an access group message) and access group classification information (the access group classification information is generated by a core network node which classified the user equipment unit into at least one of plural access groups). The Final Office Action overlooks the fact that Applicants' independent claims 1, 42, and 54 require a network to classify a user equipment unit in a group and apprises the user equipment unit of access group classification information reflecting the access group to which it belongs. Classification of the user equipment unit in a group, and comparison of access group classification information to access group eligibility information, enables Applicants to avoid having to provide/store at the user equipment unit on an on-going basis a list of eligible cells. Instead, the user equipment unit can, upon entry into a new cell, listen to determine whether its access group is included in the eligibility information broadcast by the new cell.

Neither WO 98/30056 to Salmela nor U.S. Patent 6,334,052 to Nordstrand describe or contemplate the transmission of access group classification information or access group eligibility information. Both instead describe transmission of a list of individual cells. Although U.S. Patent 6,334,052 to Nordstrand does refer to a "subscriber group", such reference is only conceptual and no subscriber group information is transmitted through the network. It appears from Nordstrand's description of "subscriber group" that such group is in the mind of the employer for the sake of its employee-subscribers. Whether a mobile station is able to access an "exclusive access cell" such as microcell 121 or 122 is determined by checking the subscription data for the user (*See, e.g., col. 9, lines 52 – col. 10, lines 18, particularly col. 10, lines 11 – 18*). Presumably each user's subscription data must be individually checked: there is no indication by Nordstrand that the employees are provided with classification information which associates them together as a group, or that any such group-identifying information is ever sent or provided to the Nordstrand mobile station.

In view of the deficiencies of the prior art rejections of independent claims 1, 42, and 54, such independent claims are deemed allowable over the applied prior art. The allowability of the independent claims renders the dependent claims allowable as well. Various dependent claims have separate bases of patentable significance, some of which were elaborated in the previous response. Applicants' previous remarks pertaining to both the independent claims and dependent claims are hereby incorporated and realleged.

Applicants have overcome seven previous non-final office actions and verily believe that the rejections of this eighth, final office action, should similarly be withdrawn.

C. MISCELLANEOUS

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: /H. Warren Burnam, Jr./
H. Warren Burnam, Jr.
Reg. No. 29,366

HWB:lsh
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100